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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,781	06/22/2001	Carol Ann	END920000180US1	8707
7590 04/21/2005 John R. Pivnichny IBM Corporation, N50/040-4 1701 North Street Endicott, NY 13760			EXAMINER THAI, CANG G	
			ART UNIT 3629	PAPER NUMBER

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/887,781

Applicant(s)

ANN ET AL.

Examiner

Cang G. Thai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06/22/2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

2. Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is vague on Lotus Notes database. Applicant also fails to identify Lotus Notes as a trademark name.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2001/0032092 (CALVER).

As for Claim 1, CALVER discloses a system for modeling the operation of a business and its information processing, the system comprising:

a first framework portion which includes features of the business operations and objectives of the business {See Fig. 4, Element 92};

a second framework portion which includes features of the information processing system which the business uses to conduct its business {See Fig. 4, Element 88}; and

interconnections between the first framework portion related to the business operations and objectives related to the business and the second framework portion which includes functions of the information processing system of the business, whereby changes to the one portion can be seen as changes in the other portion {See Fig. 4, Element 90}.

As for Claim 2, CALVER discloses a system for modeling the operation of a business including the elements of Claim 1 wherein the system includes a function of governance, which allows for the objectives of the business to be reflected in the model {See Fig. 10, Element 180}.

As for Claim 3, CALVER discloses a system for modeling the operation of a business including the elements of Claim 1 wherein the first and second architecture portions are included in a single database {See Fig. 12, Element 212}.

As for Claim 4, CALVER discloses a system for modeling the operation of a business including the elements of Claim 3 wherein the first and second architecture portions are included in a single database with a navigator provided for using and modifying the architecture portions {See Fig. 13, Element 236}.

As for Claim 5, CALVER discloses a system for modeling the operation of a business including the elements of Claim 1 wherein the first and second architecture

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portions are included in a single database and modifications to the one-architecture portion influence the other architecture portion {See Fig. 12, Element 214}.

As for Claim 6, CALVER discloses a system for modeling an enterprise and its business and IT including the elements of Claim 1 wherein the strategic direction, capabilities and principles are integrated with the business architecture and the IT architecture {See Fig. 15, Element 274}.

As for Claim 7, CALVER discloses a method of modeling the business of an enterprise, the steps of the method comprising:

starting with a generic template which applies across industries to a business and its information technology processes {See Fig. 10, Element 194};

customizing the generic template for the specific industry and the uniqueness of the enterprise {See Fig. 10, Element 196}; and

using changes in the business objectives to reflect changes in the information technology processes and the business architecture {See Fig. 10, Element 198}.

As for Claim 8, CALVER discloses a method including the steps of Claim 7 and further including a front-end navigator for providing access to the business architecture and the information technology architecture {See Fig. 11, Element 208}.

As for Claim 9, CALVER discloses a method of coordinating a business-architecture for an organization with its information technology architecture to provide a single structure for considering the effects of changes in the organization, the steps of the method comprising:

Setting forth the direction, the capabilities and the principles of the organization {See Fig. 13, Element 234};

Organizing the business architecture for the organization including its business information and processes and coupling the processes to the capabilities of the organization {See Fig. 13, Element 236};

Organizing the information technology architecture of the organization including its application software and data and coupling the application software to the processes of the business architecture and to the principles of the organization and coupling the data to the business information, whereby changes to the business architecture flow to the information technology architecture of the organization and changes in the business architecture flow to the information technology architecture of the organization {See Fig. 14, Element 242}.

As for Claim 10, CALVER discloses a method of coordinating the operation of an organization including the steps of Claim 9 wherein the method further includes the step of providing a front-end navigator to the business architecture and the information technology architecture for ease in accessing information within the architectures {See Fig. 15, Element 276}.

As for Claim 11, CALVER discloses a method of coordinating the operation of an organization including the steps of Claim 9 wherein the method further includes the steps of storing the architectures in a database {See Fig. 14, Element 246}.

As for Claim 12, CALVER discloses a method of coordinating the operation of an organization including the steps of Claim 11 wherein the database is a Lotus Notes database {See Fig. 5, Element 86}.

As for Claim 13, CALVER discloses a method of coordinating the operation of an organization including the steps of Claim 9 wherein the business architecture includes a business structure, organization units, roles and responsibilities and features and functions as well as events which influence the processes {See Fig. 10, Element 182}.

As for Claim 14, CALVER discloses a method of coordinating the operation of an organization including the steps of Claim 9 wherein the information technology architecture includes reference architectures and current IT environment which influence an enterprise technology framework and the application software {See Fig. 12, Element 216}.

As for Claim 15, CALVER discloses a method of coordinating the operation of an organization including the steps of Claim 9 wherein the architectures are prepared in a generic format and then the method includes the step of customizing the architectures to apply to a particular instance {See Fig. 13, Element 232}.

As for Claim 16, CALVER discloses a method of coordinating the operation of an organization including the steps of Claim 15 wherein the step of customizing the architectures to a particular instance includes the step of customizing the architectures to apply to a particular industry {See Fig. 13, Element 236}.

As for Claim 17, CALVER discloses a method of coordinating the operation of an organization including the steps of Claim 15 wherein the step of customizing the

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architectures to a particular instance includes the step of customizing the architectures to apply to a particular organization {See Fig. 14, Element 246}.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

I. U.S. Patent:

- 1) U.S. Patent No. 6,085,220 (COURTS ET AL.) is cited to teach an enterprise interaction hub for managing an enterprise web system,
- 2) U.S. Patent No. 6,223,180 (MOORE ET AL.) is cited to teach a system and computer-implemented method for transforming existing host-based screen applications into components useful in developing integrated business-centric applications, and
- 3) U.S. Patent No. 6,249,761 (RUFFIN ET AL.) is cited to teach a method, system and program product for evaluating the business requirements of an enterprise for generating business solution deliverables.

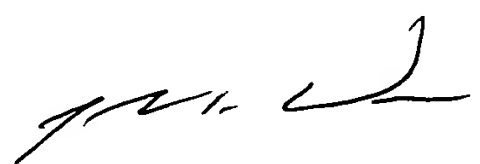
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT
4/18/2005



JOHN G. WEISS
Examiner
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